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862.C2064

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
TOMOYUKI MIYASHITA) : Examiner: Unassigned
Appln. No.: 09/722,397) : Group Art Unit: Unassigned
Filed: November 28, 2000) :
For: IMAGE PROCESSING APPARATUS) May 15, 2001
AND METHOD, AND STORAGE :
MEDIUM THEREFOR)

The Commissioner of the U.S. Patent
and Trademarks

Washington, D.C. 20231

06/04/2001 TV0111 00000027 061205 09722397

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REQUEST FOR WITHDRAWAL OF NOTICE OF
INCOMPLETE NONPROVISIONAL APPLICATION

Sir:

Applicant's attorneys have received a Notice of
Incomplete Nonprovisional Application mailed April 25, 2001,
which incorrectly indicates that "the application was deposited
without drawings.... " A copy of the erroneous Notice is
attached.

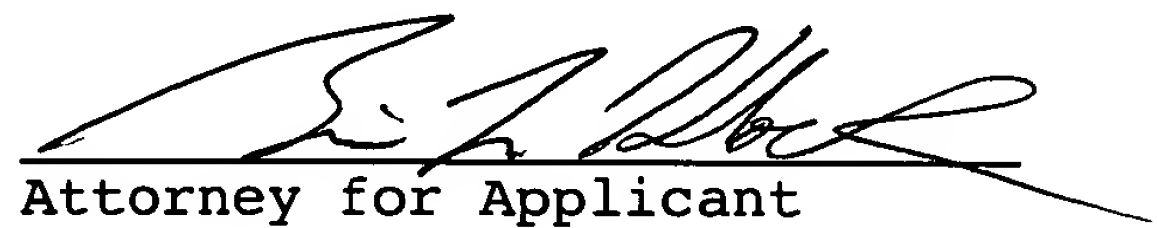
Also, attached is a copy of a stamped postcard receipt which indicates that the application, together with forty-eight (48) sheets of formal drawings, were in fact received in the mail room of the U.S. Patent and Trademark Office on November 28, 2000. Applicant requests withdrawal of the erroneous Notice and requests that the application be accorded the original filing date on which the complete application was received, November 28, 2000. Applicant submits that no new declaration is needed.

A copy of each of the forty-eight (48) sheets of drawings filed on November 28, 2000 is enclosed for the Examiner's convenience, since the Patent and Trademark Office apparently misplaced the original drawings.

Applicant submits no fee is required for this Request, since the Notice was issued erroneously. However, the Commissioner is authorized to charge any fees necessary for consideration of this Request to Deposit Account No. 06-1205. A duplicate of this paper is enclosed.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our below-listed address.

Respectfully submitted,



Attorney for Applicant

Registration No. 36,570

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BLK/fdb



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/722,397 | 11/28/2000 | Tomoyuki Miyashita | 862.C2064 |

CONFIRMATION NO. 5705

05514
FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

FORMALITIES LETTER



OC000000006004809

Date Mailed: 04/25/2001



NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items must be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)).

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition.

- The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented." *Applicant should reconsider whether the drawings are necessary under 35 U.S.C. 113 (first sentence).*

*A copy of this notice **MUST** be returned with the reply.*

Ruth. BERNE
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE